

Notice of Allowability

Application No.

09/977,869

Applicant(s)

HAWKINS ET AL.

Examiner

Jefferey F. Harold

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

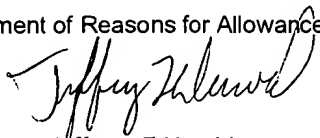
1. ☒ This communication is responsive to amendment filed 5/26/06.
2. ☒ The allowed claim(s) is/are 1,6-12,20-25,28,30 and 35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jefferey F. Harold
Primary Examiner
Art Unit: 2614

DETAILED ACTION

Allowable Subject Matter

Claims 1, 6-12, 20-25, 28, 30, and 35 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art of fails to discloses or fairly suggest a pivoting input switch having multiple operational modes, wherein one mode comprises pivoting of the switch in a first direction from a starting point go a first input generating position, and automatically returning to the starting point upon release. Further, at least one of the multiple operational modes directs the operation of the mobile computing application and another of the at least one of the multiple operational modes directs operation of the phone application.

Regarding claim 20, the prior art of fails to discloses or fairly suggest a pivoting input switch having multiple operational modes, wherein one mode comprises pivoting of the switch in a first direction from a starting point go a first input generating position, and automatically returning to the starting point upon release. Further, at least one of the multiple operational modes directs the operation of the mobile computing application and another of the at least one of the multiple operational modes directs operation of the phone application.

Regarding claim 21, the prior art of fails to discloses or fairly suggest a pivoting input switch having multiple operational modes, wherein one mode comprises pivoting of the switch in a first direction from a starting point go a first input generating position, and automatically returning to the starting point upon release. Further, at least one of

the multiple operational modes directs the operation of the mobile computing application and another of the at least one of the multiple operational modes directs operation of the phone application.

Regarding claim 24, the prior art fails to disclose or fairly suggest a user controllable pivoting input switch that allows a user to interact with the phone application while the lid covers the display screen only when an earpiece or headset is plugged into the headset jack.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Pertinent Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sirola et al (United States Patent 6,415,138), discloses a wireless communication device and a method of manufacturing a wireless communication device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is 571-272-7519. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

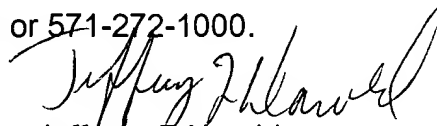
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JFH

June 13, 2006



Jefferey F. Harold
Primary Examiner
Art Unit 2614